

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

HAROLD A. CALDWELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:11CV1146
	)	
DAVID GLENN CALLICUTT,	)	
	)	
Defendant.	)	

**ORDER**

On July 2, 2014, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 30 and 31.) Plaintiff objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Defendant's Motion to Dismiss (Doc. 21) is **GRANTED** and that Plaintiff's complaint (Doc. 2) be, and the same is hereby, **DISMISSED** with prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 27th day of August, 2014.

*William L. Ostun, Jr.*

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United States District Judge

